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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	10/061,979	
	<b>Filing Date</b>	January 31, 2002	
	<b>First Named Inventor</b>	JEREMY S. LEE	
	<b>Group Art Unit</b>	1631	
	<b>Examiner Name</b>	Unassigned	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	080129-000100US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>  Return Postcard Sequence Statement Sequence Diskette
<b>Remarks</b>		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
<b>Firm and Individual name</b>	Townsend and Townsend and Crew LLP Steven W. Parmelee Reg. No. 31,990	
<b>Signature</b>		
<b>Date</b>	June 3, 2002	

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:		
		June 3, 2002
<b>Typed or printed name</b>	Arlene C. Granlund	
<b>Signature</b>		<b>Date</b> June 3, 2002

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/061,979	01/31/2002	Jeremy S. Lee	080129-000100US

CONFIRMATION NO. 2049

20350  
TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

## FORMALITIES LETTER



\*OC000000007785550\*



Date Mailed: 04/03/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

06/17/2002 JBALINAN 00000080 201430 10061979  
01 FC:205 65.00 CH

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice MUST be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Asst. Commissioner of Patents and Trademarks, P. O. Box 2327, Arlington, VA 22202 on 6/3/02

By: Arlene C. Granger



PATENT  
Attorney Docket No. 80129-000100

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:

JEREMY S. LEE

Application No.: 10/061,979

Filed: January 31, 2002

For: BIOLOGICALLY ACTIVE  
METAL-CONTAINING NUCLEIC  
ACIDS

Examiner: Unassigned

Art Unit: 1631

**RESPONSE TO NOTICE  
TO FILE MISSING PARTS**

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

In response to the Notice to File Missing Parts of Application dated April 3, 2002, enclosed herewith are the following to be made of record in the above-identified patent application:

- (1) Executed Declaration and Power of Attorney;
- (2) Copy of Sequence Diskette on computer readable form;
- (3) Sequence Statement under 37 CFR 1.821(e)-(g); and
- (4) Copy of the Notice to File Missing Parts.

The Commissioner is hereby authorized to charge the fee of \$65.00 and any additional fees under 37 CFR §1.17 associated with this paper or during the pendency of this application, to Townsend and Townsend and Crew Deposit Account No. 20-1430. Two copies of this sheet are enclosed for accounting purposes.

Dated: June 3, 2002

Respectfully submitted,  
By: Steven W. Parmelee  
Steven W. Parmelee  
Reg. No. 31,990

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